

**CITY OF PROVIDENCE  
PUBLIC NOTICE  
ZONING BOARD OF REVIEW  
190 DYER STREET  
PROVIDENCE, RHODE ISLAND 02903  
DECEMBER 26, 2006**

**Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall on Tuesday, January 9, 2007 at 5:00 P.M. and Tuesday, January 23, 2007 at 5:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:**

**Tuesday, January 9, 2007, 5:00 P.M.**

**LUIS DE LA CRUZ: 88, 92 & 100 Harold Street, Lots 178, 194 and 196 on the Tax Assessor's Plat 65 located in a Residential R-3 Three Family Zone. This matter was continued from the December 12, 2006 public hearing.**

**THOMAS A. PALANGIO: 238 Doyle Avenue, Lot 10 on the Tax Assessor's Plat 86 located in a Residential R-1 One-Family Zone. This matter was continued from the December 12, 2006 public hearing.**

**J & R REALTY, LLC (Lot 646) OWNER AND SARA KALES LEE (Lot 407) APPLICANT: 407-409 Benefit Street & 79 Transit Street, Lots 646 & 407 on the Tax Assessor's Plat 16 located in a Residential R-2 Two-Family Zone and the College Hill Historic District; to be relieved from Section 105.3 and 304 in the proposed subtraction of 501 square feet of land area from lot 646 (407-409 Benefit St. which contains an existing legal nonconforming 4 family dwelling) bringing the total amount of land area of this lot from 5,127 square feet to 4,626-sq. ft. of land area. The subtracted 501 square feet of land from lot 646 would be added to lot 407 (79 Transit St. which contains an existing legal nonconforming 3 family dwelling) bringing the total lot area of said lot from 4,168-sq. ft. to 4,669-sq. ft. of land area. The applicant is requesting a dimensional variance relative to regulations governing lot area conformance. The minimum lot area requirement in an R-2 district is 5,000-sq. ft. with a maximum of two-dwelling units.**

**90-103 WALDO, LLC: 99-103 Waldo Street, Lot 1022 on the Tax Assessor's Plat 43 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 105.3, 204.3, 304 and 704.2(C) in the proposed subdivision of lot 1022 creating two new lots. One new lot would contain approximately 5,309 square feet of land area upon which the existing two-family dwelling would remain at 103 Waldo St. A second new lot would be created consisting of 4,559 square feet in area upon which a new 24' x 44' two-family dwelling would be constructed at 99 Waldo St. The applicant is requesting a dimensional variance relative to regulations governing the lot area**

requirements, whereby in a residential R-3 district new lots must contain a minimum of 5,000 square feet of land area and have a minimum width of 50 feet of frontage. 99 Waldo Street would be provided with 42.61 feet of frontage, however 103 Waldo Street would have 50.15 feet of frontage.

TEMPLE EMANUEL (OWNER OF LOT 360), JEWISH COMMUNITY DAY SCHOOL OF RHODE ISLAND (OWNER OF LOTS 186 & 204) AND SHUSTER REALTY, INC. (OWNER OF LOT 203) AND JEWISH COMMUNITY DAY SCHOOL OF RHODE ISLAND, APPLICANT: 85 & 73-75 Taft Avenue, Lots 360, 186, 204 & 203 on the Tax Assessor's Plat 7 located in a Residential R-2 Two-Family Zone; to be relieved from Section 607.1 in the proposed installation of one (1) canopy sign; one (1) wall sign and four (4) projecting signs. The signs are permitted in this R-2 district. The applicant is requesting a dimensional variance relative to the total area of each projecting sign, the height of the projecting signs, total area of the canopy sign, total area of the wall sign, and the total overall area of signage permitted on the existing school building on lot 360. Concerning lots 186 and 204, the applicant is seeking permission to be relieved from Section 303-use code 21 and Section 304 in the proposed location of a permanent structure on the above-described property. Said structure will be used for classroom space and presently exists on the site for which the applicant seeks a special use permit and requests relief from the rear yard setback requirement. Concerning lot 204, the applicant is seeking permission to be relieved from Section 303-use code 21 to utilize the first floor of an existing legal two-family dwelling

for administrative offices for the school. Sufficient paved parking currently exists to support both the first floor use as administrative offices and the second floor as one residential dwelling unit that would be retained. Lot 360 contains 55,110 square feet of land area, lot 186 contains 5,000-sq. ft. of land, and lots 203 & 204 each contain 4,000-sq. ft. of land area.

**LANTERN HOLDINGS, LLC, OWNER AND PREMIER LAND DEVELOPMENT, APPLICANT:** 434 & 436 Atwells Avenue, 28 & 34 Knight Street and 17 & 23 Marcello Street, Lots 139, 140, 142, 150, 508 & 969 on the Tax Assessor's Plat 28 located in a Commercial C-1 Zone and a Residential R-3 Three-Family Zone; to be relieved from Section 305 in the proposed expansion of the number of residential units from 43 to 64 dwelling units in a new building to be constructed.

The applicant is requesting a dimensional variance and seeks relief from regulations governing minimum lot area per dwelling unit. The lots in question total approximately 33,918 square feet of land area.

Tuesday, January 23, 2007, 5:00 P.M.

**ABRAHAM NUNEZ:** 68-70 Gray Street, Lots 228, 229 & 230 on the Tax Assessor's Plat 95 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 204.2, 304 and 704.2(A). All of the aforementioned lots each contain 3,200 square feet of land area. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same

ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, the aforementioned lots are substandard in size and are recorded under the same ownership. The applicant proposes to subdivide the middle lot (lot 229), which would result in 1,600 square feet of land being added to lots 228 and 229, which would increase the land area of lots 228 and 229 from 3,200-sq.ft. to 4,800-sq. ft. each.

The existing two-car garage would be razed. The existing two-family dwelling located on lot 228 (68 Gray Street) would remain unchanged.

As mentioned, the land area for lot 230 would be increased to 4,800-sq. ft. upon which a new two-family dwelling would be constructed. A two-family dwelling is a permitted use in this R-2 district, the new structure requires a 5,000 square foot lot; therefore the applicant in requesting relief from the provisions governing minimum lot area, and lot area per dwelling unit, a dimensional variance. The parking areas for the existing structure and the new structure would be located in the side yards and the driveways would be 17 feet in width instead of the maximum permitted 15 feet. Further, the new building does not meet the front and rear yard set back requirements.

**DANIEL SUERO:** 36 & 52-54 Erastus Street, Lots 12 & 14 on the Tax Assessor's Plat 63 located in a Residential R-M Multi-Family Zone; to be relieved from Sections 304, 704.2(A) and 705.3 in the proposed

subtraction of 1,600 square feet of land area from lot 14 (52 Erastus St. which contains an existing legal nonconforming 4 family dwelling) thereby reducing the total land area for this lot from 6,400 square feet to 4,800-sq. ft. of land area. The subtracted 1,600 square feet of land from lot 14 would be added to lot 12 (36 Erastus St.) thereby increasing the total lot area of said lot from 3,200-sq. ft. to 4,800-sq. ft. of land area upon which a new 34' x 42' three-family dwelling would be constructed. The applicant is requesting a dimensional variance relative to lot area conformance, whereby in a residential R-M district the minimum lot area requirement is 5,000-sq. ft. Further, the applicant proposes to create a new side yard parking area (southerly side) for 52 Erastus St. (lot 14) containing 6 parking spaces that would sustain the parking requirement for said lot. Additionally, the plan seeks to create a parking area for the proposed new three-family dwelling by paving the southerly side yard and a portion of the rear yard of 36 Erastus St. (lot 12) in order to meet the parking requirement for said new structure. The driveway width for lot 14 is proposed at 17 feet, the maximum allowed width is 15 feet. Relief is being sought from regulations governing access to the parking spaces, whereby several parking spaces would be blocked by vehicles parked in tandem thereby creating no or limited access to some spaces.

**ALLIED INVESTMENTS, LLC:** 6-8 Hawthorne Street, Lot 503 on the Tax Assessor's Plat 49 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 200.3, 303-use code 14, 304 and

703.2 in the proposed change in the use of the building from a five-family to a six-family dwelling. The applicant is requesting a use variance in order to expand this legal nonconforming use to include one additional dwelling unit. The R-3 regulations restrict the number of dwelling units to a maximum of three units on a lot having no less than 6,000 square feet of land area. Further relief is being requested from regulations governing the number of parking spaces, whereby this property supports 4 existing parking spaces in the rear yard having access over a shared driveway. The existing five dwelling units require one parking space per unit or five parking spaces, there are 4 existing on-site spaces, one parking space is nonconforming, the proposed new dwelling unit requires 2 parking spaces; therefore this proposal has a shortfall of 2 parking spaces. The lot in question contains approximately 3,458 square feet of land area.

**DOMINGOS V. CORREIA:** 154 Harold Street, Lot 251 on the Tax Assessor's Plat 65 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 304 and 704.2 in the proposed construction of a 24' x 44' two-family dwelling. A two-family structure is a permitted use within this R-3 district only when located on a lot having no less than 5,000 square feet of land area. The existing lot contains 3,800-sq. ft. The applicant is requesting a dimensional variance relative to regulations governing minimum lot area, lot area per dwelling unit, and the paving restriction, whereby the required number of parking spaces (3) would be provided in the rear yard, however the permitted rear yard paving is restricted to 50 percent, the

**applicant proposes to pave approximately 59 percent of the rear yard.**

**KEVIN R. & SIOBHAN R. CUTE: 10 Harkness Street, Lot 17 on the Tax Assessor's Plat 35 located in a Residential R-3 Three-Family Zone; to be relieved from Section 403(B) in the proposed renovation of the existing garage located in the rear yard that would be used for accessory living quarters. This proposal is permitted within this R-3 district only when located not less than 10 feet from the rear property line and the structure can be no more than 20 feet in height. The applicant proposes to add a second level to this existing structure. A dimensional variance is requested relative to regulations governing the setback of the building whereby, the garage sits 2.5 feet from the rear property line and the new second floor addition would bring the height of the building to 21.5 feet (measured from grade to the roof peak of the new second level). No change is proposed for the existing main structure, a legal four-family dwelling. The lot in question contains approximately 8,000 square feet of land area.**

**THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME**



**TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.**

**THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.**

**ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRETION DE LA JUNTA DE REVISIONES DE ZONA.**

**LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.**

**PETER D. CARNEVALE, SECRETARY  
(401) 421-7740 EXT. 376**